

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-x-

NEW YORKERS AGAINST CONGESTION
PRICING TAX, DANNY BUZZETTA, DR. GREGOR
WINKEL, LEE BERMAN, MEREDITH LeVANDE,
RITA SUE SIEGEL, TOMMY LOEB, KATHRYN FREED,
TREVER HOLLAND, RICKY YANG, PAUL ENG,
BARUCH WEISS, ROBERT FRIEDRICH, KEVIN
FORRESTAL, WARREN SCHREIBER, CHRISTOPHER
RYAN, BEN MASON, DENNIS ROSARIO, RABBI Y.S.
GINZBERG, JACOB ENGLANDER, AARON GONZALEZ,
HOWARD CHIN, ELAINE LA PENNA, THOMAS
ANTHONY SCARPACI, COUNCILMEMBER KRISTY
MARMORATO, COUNCILMEMBER VICKIE PALADINO,
COUNCILMEMBER JOANN ARIOLA, COUNCILMEMBER
SUSAN ZHUANG, COUNCILMEMBER KALMAN
YEGER, COUNCILMEMBER INNA VERNIKOV,
COUNCILMEMBER, ROBERT F. HOLDEN, RICHARD
PASSARELLI, STEVEN TRAUBE, FRANCISCO
GONZALEZ, JOSE COLLADO, VITO LaBELLA, AIXA
TORRES, JULIE VELEZ, DAPHNE BRUCCULERI,
DR. ALAN L. MINTZ, D.D.S., ASSEMBLYMEMBER
SIMCHA EICHENSTEIN, THOMAS ZABIELSKIS,
NINA JODY, MICHAEL KEKAFOS, NORMAN SPIZZ,
MICHAEL GROSS, EFRAIM REISS and ASSEMBLYMEMBER
MICHAEL NOVAKHOV, individually and on behalf
of all others similarly situated,

Case No.1:24-cv-367(LJL)

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, FEDERAL HIGHWAY
ADMINISTRATION, SHAILEN BHATT,
in his official capacity as Administrator of the
Federal Highway Administration, RICHARD J. MARQUIS,
in his official capacity as Division Administrator of the
New York Division of the Federal Highway Administration,
METROPOLITAN TRANSPORTATION AUTHORITY,
TRIBOROUGH BRIDGE AND TUNNEL
AUTHORITY, NEW YORK STATE DEPARTMENT OF
TRANSPORTATION, NEW YORK CITY DEPARTMENT
OF TRANSPORTATION and TRAFFIC MOBILITY
REVIEW BOARD,

Defendants.

-x-

ELIZABETH CHAN, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, et al.,

Defendants.

MICHAEL MULGREW, et al.,

Case No. 1:23-cv-10365 (LJL)

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, et al.,

Defendants.

TRUCKING ASSOCIATION OF NEW YORK,

Case No. 1:24-cv-01644 (LJL)

Plaintiff,

v.

METROPOLITAN TRANSPORTATION
AUTHORITY, et al.,

Defendants.

x

**DECLARATION OF JACK L. LESTER, ESQ. IN
MOTION FOR A PRELIMINARY INJUNCTION**

I, Jack L. Lester, Esq., pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am a member of the bar of the State of New York and am admitted to appear before this Court. I am counsel to Plaintiffs in the above captioned action.
2. I respectfully submit this declaration in support of Plaintiffs' reply memorandum of law in further support of Plaintiffs' motion for a preliminary injunction.

3. Attached hereto as **Exhibit A** is a true and correct copy of the *November 2024*

New York City Planning Survey entitled Storefront Activity in NYC Neighborhoods.

Dated: East Hampton, New York
December 12, 2024



Jack L. Lester, Esq.